**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR**

**THURSDAY, THE 24TH MAY 2007 / 3RD JYAISHTA 1929**

**WP(C).No. 15698 of 2007(R)**
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**PETITIONER:**
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**MERCY JOHN, HEAD CLERK,**
**KODUMB GRAMA PANCHAYAT, PALAKKAD DISTRICT.**

**BY ADV. SRI.M.SASINDRAN**
**SRI.TOJAN J. VATHIKULAM**

**RESPONDENTS:**
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**1. THE DIRECTOR OF PANCHAYATS,**
**THIRUVANANTHAPURAM.**

**2. STATE OF KERALA-REPRESENTED BY**
**THE SECRETARY, LOCAL SELF GOVERNMENT DEPARTMENT,**
**SECRETARIAT, THIRUVANANTHAPURAM.**

**3. JESSY.M.V., HEAD CLERK,**
**KUZHIKALLOOR GRAMA PANCHAYATH,**
**PALAKKAD DISTRICT.**

**BY GOVERNMENT PLEADER SRI. BIJOY CHANDRAN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**K.BALAKRISHNAN NAIR,J.**

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WP(C)NO.15698 OF 2007-R

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Judgment

The petitioner is presently working as Head Clerk in Kodumbu grama panchayat. She was posted there on promotion, by order dated 31.12.2006. Thrissur is her home district. She represented, praying to post her back to Thrissur district. But, ignoring that representation, Ext.P4 order has been passed, in which, the third respondent has been posted to Thrissur district. According to the petitioner, the third respondent is junior to her in service and therefore, the posting given to the said respondent , ignoring her superior claim is illegal. So, this Writ Petition is filed, challenging Ext.P4, to the extent, her claim for posting to Thrissur district has not been considered.

2. The petitioner has been posted to Palakkad only very recently. It is too early for her to demur that she has not been granted transfer. So, I feel that no ground has been made out, warranting interference with Ext.P4, under Article 226 of the Constitution of India. But, this view expressed by me will not affect the right of the petitioner, if any, to represent against Ext.P4, in the light of Ext.P1 transfer norms. Subject to that observation, the Writ Petition is dismissed.

24.05.2007 **K.BALAKRISHNAN NAIR,JUDGE**

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